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Plaintiff in pro per

**FILED**

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RICHARD W. WIEKING  
CLERK  
U.S. DISTRICT COURT  
NO. DIST. OF CA. S.D.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

C/OK

James Alan Bush,	)	Case No.: C 08-01354 (RS) JF
	)	
Petitioner,	)	DECLARATION IN SUPPORT OF
	)	PLAINTIFF'S AMENDED MOTION TO
v.	)	EXPEDITE DISCOVERY
	)	
Suzie DOE, Santa Clara County	)	
Adult Probation Department,	)	
Origen Financial,	)	
	)	
Respondents.	)	Judge Jeremy Fogel
	)	

**DECLARATION**

I, James Alan Bush, declare as follows:

1. I am the petitioner in the above-entitled action.
2. I was, at all relevant times and in all relevant matters described herein, a customer of Origen Financial, and the owner of a manufactured home, situated at 1220 Tasman Drive SPC 379, City of

1 Sunnyvale, County of Santa Clara, State of California.

2 3. Respondent, Suzie DOE, is, and was, at all relevant times mentioned  
3 herein, employed as a clerk by Respondent, Santa Clara County  
4 Probation Services Division, Main Office, an agency of the County  
5 of Santa Clara, operating in the City of San Jose, County of Santa  
6 Clara, State of California, from 2314 North First Street.

7 4. Respondent, Origen Financial, is a residential mortgage lender,  
8 which operates its Servicing Center in the City of Fort Worth,  
9 County of Tarrant, State of Texas; I do not know if Respondent,  
10 Suzie DOE, is, or was, also employed by Origen Financial as a  
11 customer service representative.

12 5. On or around April 6<sup>th</sup>, 2007, I called the Origen Financial  
13 Servicing Center, to discuss details of the foreclosure and private  
14 sale of his home.

15 6. During the course of the call, I was connected to a customer  
16 service representative, who did not identify herself as Suzie DOE (I  
17 cannot recall the name she used); however, I immediately recognized  
18 the individual as Respondent, Suzie DOE, an employee of Santa Clara  
19 County Adult Probation Department, by the unique characteristics of  
20 her highly distinctive manner of speech (i.e., her accent).

21 7. Respondent, Suzie DOE, in her alleged capacity as a customer  
22 service representative at Origen Financial, and under her assumed  
23 name, provided Plaintiff with erroneous, inconsistent, and  
24 incomplete information.

25 8. I recorded my phone conversation with the aforementioned  
26 respondent.

1 9. Later that day, I called the Santa Clara County Adult Probation  
2 Department, and spoke with Respondent, Suzie Doe.

3 10. I recorded that phone conversation, as well.

4 11. Based on a side-by-side comparison of the two recordings, and the  
5 fact that Suzie DOE provided me with erroneous and incomplete  
6 information, I, James Alan Bush, believe that Suzie DOE unlawfully  
7 intercepted phone communications between Plaintiff and Respondent,  
8 Origen Financial, in violation of Title 18 U.S.C.S. § 2511(1)(a).

9 12. My belief is further founded on the fact that I made a third phone  
10 call to an attorney on the same day, which was also answered by  
11 Suzie DOE, using a third, assumed name.

12 I declare under penalty of perjury under the laws of California  
13 that the above is true and correct, and within my personal knowledge.  
14 This declaration was executed on May 19th, 2008, in the City of San  
15 Jose.

16  
17 Signed: \_\_\_\_\_

Dated: \_\_\_\_\_